

REAL ESTATE COMMISSION[193E]

Notice of Intended Action

Twenty-five interested persons, a governmental subdivision, an agency or association of 25 or more persons may demand an oral presentation hereon as provided in Iowa Code section 17A.4(1)"b."

Notice is also given to the public that the Administrative Rules Review Committee may, on its own motion or on written request by any individual or group, review this proposed action under section 17A.8(6) at a regular or special meeting where the public or interested persons may be heard.

Pursuant to the authority of Iowa Code sections 543B.9, 543B.18, and 543B.15, the Real Estate Commission hereby gives Notice of Intended Action to amend Chapter 2, "Definitions," Iowa Administrative Code.

The proposed amendment adds the definition of "moral turpitude" to rule 2.1(543B) pursuant to Iowa Code Supplement section 543B.15 as amended by 2008 Iowa Acts, Senate File 2250, section 1.

A public hearing will be held on August 19, 2008, at 10 a.m. in the Second Floor Professional Licensing Conference Room, 1920 SE Hulsizer Road, Ankeny, Iowa, at which time persons may present their views on the proposed amendment either orally or in writing. At the hearing, persons who wish to speak will be asked to give their names and addresses for the record and to confine their remarks to the subject of the proposed amendment.

Consideration will be given to all written suggestions or comments received before the end of the business day on August 19, 2008. Comments should be addressed to David Batts, Executive Officer, Iowa Real Estate Commission, 1920 SE Hulsizer, Ankeny, Iowa 50021; or faxed to (515)281-7411. E-mail may be sent to david.batts@iowa.gov.

This amendment is intended to implement Iowa Code sections 543B.9 and 543B.18 and Iowa Code Supplement section 543B.15 as amended by 2008 Iowa Acts, Senate File 2250, section 1.

The following amendment is proposed.

Adopt the following **new** "Moral turpitude" in rule **193E—2.1(543B)**:

"Moral turpitude" means an act of baseness, vileness, or depravity, in the private and social duties which a person owes to another person or to society in general, contrary to the accepted and customary rule of right and duty between person and person. It is conduct that is contrary to justice, honesty and good morals. The following nonexclusive list of acts has been held by the courts to involve moral turpitude: perjury or its subornation, child endangerment, indecent exposure, sex crimes, conspiracy to commit a crime, defrauding the government, and illegal drug sales. Various factors, however, may cause an offense which is generally not regarded as constituting moral turpitude to be regarded as such. The offenses of assault, domestic abuse or other offenses of domestic violence, stalking, and any offense in which a weapon was used in the commission are crimes involving moral turpitude.